

## REMARKS

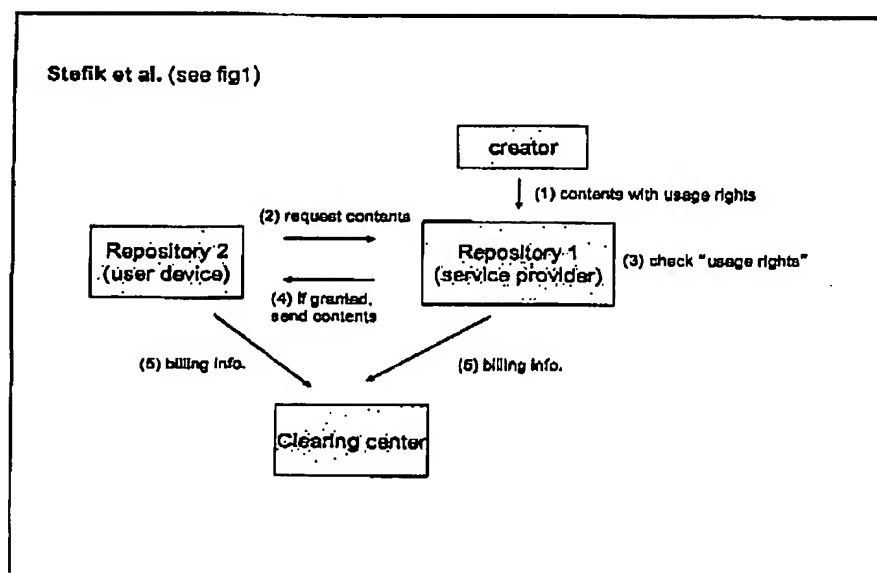
Claims 1-25 were pending and under consideration. Claims 26 and 27 were cancelled in the prior amendment.

In the Office Action of September 7, 2005, the Claims 1, 2, 6-13, 15, 16, 20-24, 26, and 27 under 35 U.S.C. Sec. 102(b) as anticipated by USP 5,629,980 (Stefik). Claims 3-5, 14, 17-19 and 25 were rejected under 35 U.S.C. Sec. 103 as unpatentable over Stefik. A typographical error was noted.

In response, independent claim 1 has been amended to correct the typographical error. The rejections are traversed.

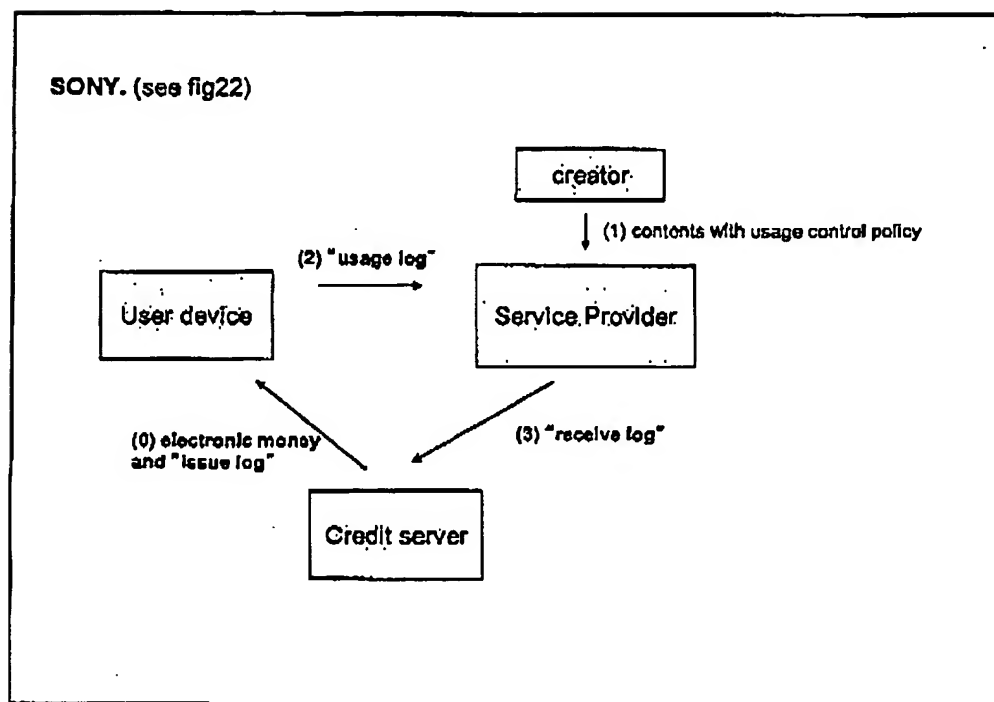
It appears the examiner is incorrectly interpreting Stefik, and so the illustrations below are provided to explain more clearly the differences between Stefik and the presently claimed invention.

Stefik essentially discloses a system in which a clearing center is used to reconcile usage with price and purchase information. Usage restricted content (4) is then sent to a use device (Repository 2) if a request (2) therefor is granted.



The examiner relies on Stefik's disclosure of use of a copy-count, a money balance, and a metering system. However, these do not support the rejection of the claims.

The presently claimed system can be illustrated as follow:



Each of independent claims 1 and 15 requires the creation of a "usage log" (2) by a user device which is configured to use the content (1). The "usage log" (2) is then used in the fee collection transactions. With such a log, it is possible to assess and collect fees based on usage on an on-going basis.

Additionally, each of claims 1 and 15 requires that a clearing center generate and then transmit to a user device an issue log with issue information indicating an allowable amount of electronic money, which allowable amount of electronic money is based on a usage control policy. The user device spends the electronic money up to the maximum amount allowed by the issue log. The user device logs depletion of the electronic money in the "usage log."

Moreover, the user device does not send the "usage log" directly to the clearing center as their interactions need only relate to the issuance of the issue log and the electronic money prior

to the content obtaining transaction performed by the user device. The distribution and use of content are thus restricted by the allowed maximum amount of electronic money as determined by the "usage control policy of the content."

Stefik discloses a system for controlling the distribution of content. However, in Stefik the digital rights are permanently "attached" to the content to define the manner and amount of usage of the content (See Stefik, Col. 6, Lines 51-56). The Stefik copy-count attaches to the content to restrict the number copies that can be made. . In contrast, the issue log of the present claims is not attached to the content, but issued by the clearing center independently of the content and the content distributor (service provider). Stefik nowhere fairly discloses or suggests a way to control the amount of money spent by a user, or the maximum amount of money spent by the user.

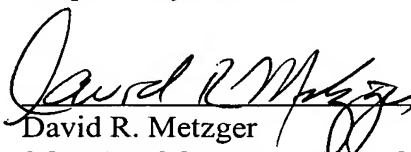
In that regard, Stefik nowhere fairly teaches or discloses the creation of an issue log with an allowable spending limit set by the clearing center based on a usage control policy. This spending limit is not the total amount of money available, but rather a spending limit related to the content in question. As is clearly set forth in the claims, the issue log contains this allowable spending limit in addition to an electronic balance.

At Col. 7, lines 33-37, cited by the examiner, Stefik et al. describes how in step 108 (See Figure 1) both the user device (Repository 2) and the content provider (Repository 1) interact with the credit server at the same time to confirm billing parameters. This is nothing like the usage/money control recited in the claims. Indeed, contrary to the examiner's interpretation, nowhere does Stefik information indicating an allowable amount of money issued by a clearing center and sent to a user device as an issue log. The maintenance of a balance at a clearing center or some other institution simply is not the same thing as the allowable amount of money in the claimed issue log.

The examiner's comments have been carefully taken into consideration, but nowhere is the presently claimed invention shown to be fairly taught or suggested.

In view of the foregoing, it is submitted that claims 1-27 are not anticipated by or obvious in view of Stefik et al and are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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